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Robert Dingle Jr.

ORIGINAL

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115-51 217 street

U.S. DISTRICT COURT  
EASTERN DISTRICT  
OF NEW YORK

Cambria Heights NY 11411

(CBA)(WP)

Re: 11 CV 2879 and 13 CV 3913 Dingle V. Bimbo Bakeries USA/Entenmann's

Dear Sir/Madam,

I am submitting this letter along with a copy of my settlement request per our court conference on February 6, 2016. In hindsight I would also like to point out some facts in this case which I should have made the court aware of, at the aforementioned conference. At the conference the issue was made by attorney for defendants, Kristen Plude - Witherell that they intend to file for dismissal of the case, the latter could only be done out of malice and or to further keep defendants from accepting culpability for their actions and the actions of their agents. There were at least six individuals who played a major role in this case and created a basis the legal issues now before the court. Human resources manager Rina Carpano who discriminated against plaintiff because of his record and admitted on audio tape that she refused to entertain plaintiff's complaint because he had a criminal record left the company several weeks later. She may or may not be able to be subpoenaed. Frank Gadero who played a major role in this case and actually stigmatized, humiliated, and discriminated against plaintiff and created a hostile work environment was terminated late last year for misconduct, in whole or in part, for his activities in this case. Mr. Gadero was a regional manager and served at the company for twenty some odd years. Are we to believe now that if Mr. Gadero can be subpoenaed that he can be placed on the stand at trial as a credible witness or even that he would be willing to testify in behalf of Entenmann's. Cecil Douglas who was plaintiff's foreman is now retired from Entenmann's and works for city transit. This leaves defendants with the two individuals who caused the problem. There is audio of Brian Lim-tom stating that Leon Broderick distributed the photo. These are two individuals who clearly lied. In fact it was Broderick who said plaintiff threatened to shoot his supervisor, Tom Leggio, an allegation Leggio refuted. If the case does go to trial who do they plan to put on the stand to clear Entenmanns of wrong doing? Moreover, assuming that an attorney is assigned and defendants file for dismissal and the case is dismissed and overturned again by the court of appeals we are talking about having the case in court another two to three years and it has already been in court five years. Prolonging the case will only increase compensatory damages. I must emphasize that this case could have and should have been settled years ago, which would have drastically reduced the amount of compensatory damages now requested. Moreover, had Entenmann's/Bimbo bakeries honored the arbitration agreement and given a neutral reference plaintiff would have been able to obtain , "like employment" at AMF transmissions, thereby reducing the amount of compensatory damages. I truly doubt that any competent jury is going to clear

**Entenmann's/Bimbo bakeries of all wrong doing and violations of law. For all the aforementioned reasons, I request that the court and attorney's for defendants compel and encourage them to settle.**

**Respectfully Submitted,**

**Robert Dingle Jr**

